

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Rodney Carroll on September 9, 2010.

The application has been amended as follows:

- In the specification on page 8, please insert --**Brief Description of the Drawings** – between lines 12 and 13.

### ***Withdrawn Objections/Rejections***

2. Applicant's amendments and arguments filed on September 24, 2009 are acknowledged and have been fully considered.

3. Based on Applicants amendments and arguments, the outstanding rejections have been withdrawn and claims 23-31 and 37-42 [renumbered as 1-15] are allowed.

### ***Reasons for Allowance***

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4. The following is an examiner's statement of reasons for allowance: The closest prior art is Clark (WO 2001/05526) which teaches the use of p-methane-3,8-diol (PMD) as an antiseptic. However, Clark does not teach the treatment of the instantly claimed viruses. The instant specification provides examples that disclose the toxicity data of PMD and virucidal activity of PMD on an influenza virus, SARS, and herpes simplex virus type-1. With each of the instantly claimed viruses, PMD was shown to cause a log reduction of viral titre in cell cultures. Thus, PMD was shown to be an effective antiviral or virucide for the instantly claimed viruses.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. All pending claims 23-31 and 37-42 [renumbered as 1-15] are allowed.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie L. Brooks whose telephone number is (571)272-9072. The examiner can normally be reached on M-F 8:30am-6:00pm Est..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann R. Richter can be reached on (571) 272-0646. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kristie L Brooks

Examiner, Art Unit 1616

/Johann R. Richter/

Supervisory Patent Examiner, Art Unit 1616